

eighty (180) days following the date of the acquisition; providing for the repeal of all laws and parts of laws in conflict herewith; providing for the separability of provisions; and declaring an emergency."

(With amendments)

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Adjournment

On motion of Senator Martin, the Senate at 11:45 o'clock a. m. adjourned until 10:30 a. m. tomorrow.

TWENTY-SEVENTH DAY

(Thursday, March 5, 1953)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Hardeman	Rogers of Travis
Hazlewood	Russell
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Absent—Excused

Fuller Rutherford

A quorum was announced present.

The invocation was offered by the Reverend W. H. Townsend, Chaplain, as follows:

Our Father, thou hast told us, if we acknowledge thee in all our ways, that thou wilt direct our paths. We pause now to acknowledge thee as having all power both in heaven and on earth, and pray that thou wilt make us willing for thee to direct our paths. For Christ's sake. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Rutherford was granted leave of absence for today on account of important business on motion of Senator Aikin.

Reports of Standing Committees

Senator Weinert submitted the following reports:

Austin, Texas,
March 4, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 79, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that Committee Substitute as amended, do pass in lieu thereof, and be printed.

WEINERT, Chairman

C. S. H. B. No. 79 was read the first time.

Austin, Texas,
March 4, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 144, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman

Austin, Texas,
March 4, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 190, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman

Austin, Texas,
March 4, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 206, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman

Austin, Texas,
March 4, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 104, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass.

WEINERT, Chairman

Austin, Texas,
March 4, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 63, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass with Committee Amendments and be printed.

WEINERT, Chairman

Senator Lane submitted the following reports:

Austin, Texas,
March 5, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, you Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 17, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman

Austin, Texas,
March 5, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, you Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 15, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman

Austin, Texas,
March 5, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, you Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 22, have had the same under consideration, and we are instructed to report it back to the Sen-

ate with the recommendation that it do pass and be printed.

LANE, Chairman

Austin, Texas,
March 5, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, you Committee on Civil Jurisprudence, to whom was referred S. B. No. 115, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman

Austin, Texas,
March 5, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, you Committee on Civil Jurisprudence, to whom was referred S. B. No. 123, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman

Austin, Texas,
March 5, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, you Committee on Civil Jurisprudence, to whom was referred S. B. No. 161, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman

Austin, Texas,
March 5, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, you Committee on Civil Jurisprudence, to whom was referred S. B. No. 174, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman

Minority Report on Senate Bill 104

Senator Hardeman submitted the following report:

We, the following members of the State Affairs Committee, do hereby give notice under Senate Rule 110 of a favorable minority report for S. B. No. 104, as amended, and within the required ten days a motion will be

made to print said bill on a minority report. We were present at the committee hearing and voted on the minority side.

Respectfully,
HARDEMAN
STRAUSS
RUTHERFORD

Message From the House

Hall of the House of Representatives,
Austin, Texas,
March 5, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 13, A bill to be entitled "An Act amending Section 6 of Article III of H. B. No. 8, Acts, 44th Legislature, Third Called Session, as amended and re-enacted by H. B. No. 377, Acts of the Regular Session, 45th Legislature, as amended by H. B. No. 202, Chapter 347, Acts of the Regular Session, 50th Legislature, relative to admission taxes on places of amusement, so as to change the base rate of the tax as to admissions to theaters, motion picture theaters, operas, plays and like amusement and so as to provide for penalties for failure to make the quarterly report or to make a false or incomplete report or failure to pay the tax when due; and declaring an emergency."

S. C. R. No. 21, Designating March 15-22, 1953, as Korean Veterans Week.

S. C. R. No. 22, Requesting Dept. of Interior to arrange program for dedication of Big Bend National Park.

H. B. No. 71, A bill to be entitled "An Act amending the Uniform Narcotic Drug Act, Chapter 169, Acts of the Forty-fifth Legislature, Regular Session, as amended, by amending Section 1, redefining 'hospital' and redefining 'laboratory'; redefining 'Narcotic drugs' and redefining 'Official written order'; repealing Section 4; providing for registration of manufacturers and wholesalers under the Federal Narcotic Laws; providing for the form and preservation of records; providing for the arrest and seizure without warrant of persons reasonably believed to possess narcotic drugs; adding a new section to be called 18a requiring the fingerprinting and photographing of per-

sons convicted, and requiring the courts to notify the Department of Public Safety of the disposition of any case; providing penalties for violation of this Act; providing penalties for sale to minors; providing penalties for using minors in narcotic drug traffic; providing a savings clause; and declaring an emergency."

The House has concurred in Senate amendments to House Bill No. 129 by vote of 116 ayes, 12 noes.

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Senate Bills on First Reading

The following bills were introduced, read first time and referred to the committees indicated:

By Senator Aikin:

S. B. No. 198, A bill to be entitled "An Act amending Chapter 173, Acts of the 47th Legislature, 1941, as amended, by adding a new section to be known as Section 15a, authorizing the use of certain unexpended balances in the Operator's and Chauffeur's License Fund for constructing and equipping a physical plant for the Texas Department of Public Safety; making an appropriation; and declaring an emergency."

To the Committee on Finance.

By Senator Secest:

S. B. No. 199, A bill to be entitled "An Act amending Acts 1943, 48th Legislature, page 180, Chapter 104, Article 5154a, Revised Civil Statutes of Texas, 1925, as amended, transferring duties from Secretary of State to the Commissioner of Labor Statistics; providing a savings clause; and declaring an emergency."

To the Committee on State Affairs.

By Senator Kazen:

S. B. No. 200, A bill to be entitled "An Act making appropriations to pay miscellaneous claims out of the General Revenue Fund, or such other funds as may be designated herein for each item, not otherwise appropriated; providing that before payment of any claim shall be paid from the funds hereby appropriated, the same shall have the approval of the State Auditor, the State Comptroller and the Attorney General; providing further that any claim involving the refund of a franchise tax shall also

carry the approval of the Secretary of State in addition to the other officials herein named; and declaring an emergency."

To the Committee on Public Debts, Claims and Accounts.

By Senator Willis:

S. B. No. 201, A bill to be entitled "An Act amending Sections 1 and 3 of Acts 1949, 51st Legislature, Regular Session, Chapter 466, being House Bill 58, and declaring an emergency."

To the Committee on Game and Fish.

By Senator Kelley:

S. B. No. 202, A bill to be entitled "An Act validating the creation, organization and boundaries of Hidalgo County Water Control and Improvement District No. 15 and the annexation of lands thereto; validating all bonds heretofore issued and outstanding of said District and the levy of taxes in payment thereof; validating the proceedings for the issuance of certain bonds authorized at an election heretofore held and authorizing the Board of Directors of said District to issue, sell and deliver said bonds upon stated conditions; providing that this Act shall control over all other Statutes, general or special, in conflict herewith; containing a saving clause; and declaring an emergency."

To the Committee on Civil Jurisprudence.

By Senator Rogers of Travis:

S. B. No. 203, A bill to be entitled "An Act amending Section 1 of House Bill No. 965, Chapter 513, Acts of the Regular Session of the Fifty-first Legislature, 1949, page 940, so as to change the population of cities within the scope of said Act from Two Hundred Thousand to One Hundred Thirty-two Thousand according to the preceding Federal census; and declaring an emergency."

To the Committee on State Affairs.

By Senator McDonald:

S. B. No. 204, A bill to be entitled "An Act authorizing the board of trustees of any common school district, consolidated common school district, county-line common school district, or consolidated county-line common school district to appoint an assessor of taxes and a board of equalization; declaring the purpose of this

Act and its effect on existing laws; repealing conflicting laws; and declaring an emergency."

To the Committee on Educational Affairs.

Message From the Governor

The following message, received from the Governor today, was read and was referred to the Committee on Nominations of the Governor:

Austin, Texas,
March 4, 1953.

To the Senate of the Fifty-third Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments (designated by the State Board of Water Engineers):

To be members of the Board of Directors of the Brazos River Conservation and Reclamation District,

For terms to expire February 1, 1957: Glen D. Birdwell of Richmond, Fort Bend County; Churchill Duncan of Killeen, Bell County;

For terms to expire February 1, 1959: J. Howard Fox of Hearne, Robertson County; J. B. Matthews of Albany, Shackelford County; J. Bruce Parks of Clifton, Bosque County; Raymond Holubec of Granger, Williamson County; W. E. Boger of Cleburne, Johnson County; J. V. Hammett of Lampasas, Lampasas County; Jack Frost of Eastland, Eastland County.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

Vote Reconsidered on Senate Concurrent Resolution 19

Senator Bracewell renewed his motion to reconsider the vote by which the Senate adopted S. C. R. No. 19, which was made on Tuesday, March 3, 1953.

Question—Shall the motion by Senator Bracewell, to reconsider the vote by which S. C. R. No. 19 was adopted, prevail?

The motion to reconsider the vote to adopt S. C. R. No. 19 prevailed.

Senator Moore asked to be recorded as voting "nay" on the motion to reconsider.

Question—Shall S. C. R. No. 19 be adopted?

Senator Bracewell moved to table S. C. R. No. 19.

The motion to table prevailed by the following vote:

Yeas—28

Aikin	Moffett
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Hardeman	Russell
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Martin	Willis
McDonald	

Nays—1

Moore

Absent—Excused

Fuller Rutherford

Senate Bill 34 With House Amendments

Senator Martin called S. B. No. 34 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Martin moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Hardeman	Rogers of Travis
Hazlewood	Russell
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Absent—Excused

Fuller Rutherford

Executive Session

On motion of Senator Bracewell, and by unanimous consent, the Senate agreed to hold an executive session at 10:55 o'clock a. m. today.

Accordingly, the President directed all those not entitled to attend the executive session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations of the Governor:

To be members of the Game and Fish Commission:

For six-year terms to expire September 1, 1957: Frank Wood of Wichita Falls, Wichita County; W. T. Scarborough of Kenedy, Karnes County; J. W. Elliott of Mexia, Limestone County;

For four-year term to expire September 1, 1955: Herman F. Heep of Buda, Hays Countys;

For two-year term to expire September 1, 1953: Richard M. Kleberg, Sr., of Kingsville, Kleberg County;

To fill the unexpired term of Gene Howe, deceased, term to expire September 1, 1953: Shelby Kritser of Amarillo, Potter County.

To be Commissioner of Education for the State of Texas, for four-year term beginning June 1, 1953, and expiring May 31, 1957: J. W. Edgar of Austin, Travis County.

To be members of the Liquor Control Board:

For six-year term to expire November 15, 1957: Summers A. Norman of Jacksonville, Cherokee County;

To fill the unexpired term of J. Gordon Bristow, resigned, term to expire November 15, 1955: W. D. Noel of Odessa, Ector County.

To be a member of the State Board of Water Engineers, for six-year term to expire August 19, 1957: H. A. Beckwith of Eagle Pass, Maverick County.

To be members of the Board for State Hospitals and Special Schools, for six-year terms to expire February 15, 1959: Dr. Raleigh Ross of Austin,

Travis County; Dr. James H. Wooten of Columbus, Colorado County; John G. Dudley of Houston, Harris County.

To be members of the Teacher Retirement Board of Trustees:

For six-year term to expire August 31, 1957: Miss Quata Woods of Dallas, Dallas County;

To fill the unexpired term of Allen H. Hughey, retired, term to expire August 31, 1955: Charles M. Rogers of Amarillo, Potter County.

To be members of the Board of Directors of Texas Technological College, for six-year terms to expire February 19, 1959: William H. Francis, Jr., of Houston, Harris County; Fred H. Moore of Dallas, Dallas County; W. D. Watkins of Abilene, Taylor County.

In Legislative Session

The President called the Senate to order as in Legislative Session at 11:04 o'clock a. m.

Senate Bill 32 With House Amendments

Senator Latimer called S. B. No. 32 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Latimer moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yes—26

Aikin	McDonald
Ashley	Moffett
Bell	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers
Hardeman	of Childress
Hazlewood	Rogers of Travis
Kazen	Russell
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Willis
Martin	

Absent

Sadler Weinert
Wagonseller

Absent—Excused

Fuller Rutherford

Senate Resolution 119

Senator Latimer offered the following resolution:

Whereas, House Concurrent Resolution No. 23 was adopted by the Senate on February 19, 1953, extending congratulations to First Lieutenant Cecil G. Foster of San Antonio, Texas, "as one of the leading jet aces of the United States Air Force, being officially credited with nine MIGs shot down and two MIGs damaged, in air combat, being ranked as the second-highest killer of enemy jets in the United States Air Force; and

Whereas, H. C. R. No. 23 invited Lt. Foster, his wife, and his four sons, Cecil, Jr., Bryan, Rodney, and Ronald, to visit the Legislature of the State of Texas; and

Whereas, Lt. Foster and his family are visiting the Capital City today and now are in the Capitol Building; now, there, be it

Resolved, That we officially recognize and welcome this distinguished Texas citizen and his family, extending to them the courtesies of the Senate; and be it further

Resolved, That a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be sent to Lt. Foster and his family in recognition of their visit.

The resolution was read and was adopted.

On motion of Senator Phillips, and by unanimous consent, Lieutenant Foster was invited to address the Senate.

The President appointed Senators Latimer, Phillips, and Kazen to escort Lieutenant Foster, his wife and sons, to the President's stand.

The President presented Senator Latimer to the Senate and Senator Latimer introduced Lieutenant Foster.

Lieutenant Foster addressed the Senate briefly.

House Bill 171 on Second Reading

Senator Parkhouse asked consent to consider pending business, same being H. B. No. 171 on passage to third reading (the bill having been read the second time on Wednesday, March 4, 1953).

Question—Shall H. B. No. 171 be passed to third reading?

Resolution Signed

The President signed, in the presence of the Senate, after the caption had been read, the following enrolled resolution:

S. C. R. No. 20, Memorializing Clara Driscoll and the Trustees of the Driscoll Foundation for the Erection of the Driscoll Foundation Children's Hospital.

Adjournment

On motion of Senator Phillips, the Senate, at 11:25 o'clock a.m., adjourned until 10:30 o'clock a. m. on Monday, March 9, 1953.

Record of Votes

Senators Corbin and Willis asked to be recorded as voting "nay" on the motion to adjourn.

In Memory of Temple Harris McGregor

Senator Rogers of Travis offered the following resolution:

(Senate Concurrent Resolution 28)

Whereas, On Wednesday, March 4, 1953, the State of Texas and the nation lost an outstanding citizen, a great patriot, a wise and competent legislator, an able attorney, and a distinguished orator, when death closed the long and useful career of Temple Harris McGregor of Austin, a former member of the State Senate of Texas, and of the House of Representatives; and

Whereas, Senator McGregor was born at Lebanon, Tennessee, on May 12, 1870; was graduated from the Law School of Cumberland University in 1893; practiced law in Tennessee and Missouri; and was married in Mendon, Missouri, to Miss Nelle Herndon in 1902; and

Whereas, He came to Texas in 1902; was admitted to the Texas Bar in 1903; and thereafter was a practicing attorney in Texas for half a century; and

Whereas, He served in the Legislature of Texas at three separate and distinct times, each time retiring voluntarily; and was the author and co-author of legislation of great importance to the people of Texas; and

Whereas, He served in the Texas House of Representatives from 1907 to 1909 as a Representative from Harris County; was elected to the State Senate by the Austin District in 1912; and served in the sessions of 1913 and 1915, and from 1931 to 1935 served in the House as a Representative from Travis County; and

Whereas, In his first term as a Representative he secured passage of the celebrated Baskin-McGregor liquor law; and also sponsored, with Senator Deen, the law making it a felony to operate a gambling house in Texas; and

Whereas, In 1911, as a private citizen, he wrote the bill under which the Carlsbad Sanatorium was later established. When this bill came up for consideration in the House, he was given charge of it on the floor, with all the privileges of a member, except that of voting, and secured its passage by an almost unanimous vote; and

Whereas, As a State Senator, he sponsored and secured passage of the bill under which the present State School for the Blind was erected; wrote and secured passage of the bill for erection of the Land Office Building, which provided that the old building be used by the Daughters of the Republic and the Daughters of the Confederacy; and

Whereas, He is entitled to a large share of the credit for the law creating the Lower Colorado River Authority; wrote the appropriation bill amendment which provided for the erection of the present Highway Building; and was the author of the Workmen's Compensation Law and of other useful measures; and

Whereas, His interest in public affairs and his good influence on public measures has been continuous, whether he was serving as a legislator or acting as a citizen; and

Whereas, His public addresses, both as a legislator and as a citizen, have been widely published and read, and have reflected great credit upon his State; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that both Houses of the 53rd Legislature have learned with deep regret of the passing of former Senator and former Representative T. H. McGregor; that they extend their sincere sympathy to his surviving relatives; that when they adjourn today, they do so out of respect to the memory of this great and good Texan; and that a page in the Journals of the Senate and House be dedicated to his memory.

ROGERS of Travis

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Bell, Bracewell, Colson, Corbin, Fuller, Hardeman, Hazlewood, Kazen, Kelley, Lane, Latimer, Lock, Martin, McDonald, Moffett, Moore, Parkhouse, Phillips, Rogers of Childress, Russell, Rutherford, Sadler, Secrest, Shireman, Strauss, Wagonseller, Weinert, Willis.

The resolution was read.

On motion of Senator Ashley, the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.